**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD**

**THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA**

Writ Petition No.18994 of 2000

Dated: 13-07-2007

**Between:**

K. Srinivasulu, s/o Chinna Venkataiah Choudary.

**... Petitioner**

**and**

1. The Mandal Revenue Officer,
   Chandragiri,
   Chittoor District and 2 others.

**... Respondents**

**ORDER:**

Petitioner states that he purchased the land in an extent of Ac.3-44 cents, comprising of Ac.0-91 cents, Ac.1-16 cents and Ac.1-27 cents in S.No.540/1, S.No.542/1 and S.No.543/2 respectively, situated at Mittupalem village, Chandragiri Mandal, Chittoor District from one K. Raghava Reddy under a registered sale deed dated 10-06-1992 and since then he has been in peaceful possession and enjoyment of the same.

2. The grievance of petitioner is that first respondent – Mandal

Revenue Officer is trying to dispossess him from the lands in question on the ground that the said land was originally assigned in favour of Daliths as early as in 1924 and the transfer of the land in favour of him is hit by the provisions of Act 9 of 1977 and that he is not entitled to be continued in possession of the said lands. Hence, he approached this Court and filed the present writ petition

3. A counter affidavit is filed on behalf of respondents, denying the averments made in the affidavit filed in support of the writ petition.

4. May be it is a land belonging to the Government and an assignment was made in favour of Daliths in 1924, but it does not mean that petitioner, who is a genuine purchaser of the land, cannot be evicted summarily without following due process under law. Hence, the action of first respondent – Mandal Revenue Officer in trying to dispossess petitioner from out of the lands in question is definitely arbitrary. Accordingly, respondents, particularly first respondent – Mandal Revenue Officer,
are directed to issue notice to petitioner calling for his explanation under the relevant provisions of law and thereafter may initiate necessary action if it is established. It is always open to petitioner to place the entire material before first respondent, who is directed to hold an enquiry.

5. With the above directions, the writ petition is disposed of. No costs.

**JUSTICE GOPALAKRISHNA TAMADA**

Dt.13-07-2007
GLV